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RENEE D. EAST

Renee D. East

Date of signature and deposit - Jan. 7, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 3683
 Blaise Ganzel)
 Serial No.: 10/827,057) Examiner: Christopher P. Schwartz
 Filed: April 19, 2004)) Attorney Docket: 1-24765

For: Modular Regenerative Braking

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO ELECTION REQUIREMENT

Honorable Sir:

In response to the Office Action of 12/14/2004, applicants have carefully reviewed the Examiner's comments.

The Examiner indicated that the claims in the application are drawn to the following patentably distinct species:

Species A – Fig. 1

Species B – Fig. 2-6

Species C – Fig. 7

Species D – Fig. 8

Species E – Fig. 9

The Examiner required applicants to restrict the application to a single disclosed species for prosecution on the merits. No claim was considered generic by

the Examiner.

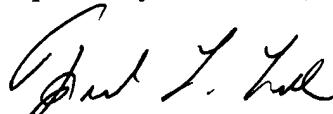
In accordance with the Examiner's requirement, application elects to prosecute Species A – Fig. 1 for which Claims 1, 2, 9, 10, 11, 12, 13, 31, 32, 33, and 34 are readable thereon.

However, applicants submit that Claims 1, 9, and 31 of the present application are generic as to Fig. 1-9. All of the elements of Claims 1, 9, and 31 are readable on each of the species indicated. Specifically, Claims 1, 9, and 31 each recite a first, second, and third circuit of pressurized brake fluid corresponding generally to elements 4, 6, and 7 respectively. Claims 1, 9, and 31 each recite a first set of brake actuators and a second set of brake actuators corresponding generally to 11a, 11b and 11c, 11d. Claims 1, 9, and 31 also recite a first fluid separator unit coupled to the first circuit and the second circuit of pressurized brake fluid corresponding to element 24a and a second fluid separator unit coupled to the first circuit and third circuit of pressurized brake fluid corresponding to element 24b. Claims 1, 9, and 31 further recite at least one proportional valve corresponding to element 47 of Fig. 1, elements 54-57 of Fig. 2 and Fig. 3, and it generally shown in Fig. 4 and Fig. 6-9. Thus it is submitted that Claims 1, 9, and 31 are generic to Figs. 1-9.

Applicant's election is made without prejudice to introducing the non-elected species and claims in a later filed divisional application.

In view of the above election, applicant believes the application is now in condition for further action on the merits.

Respectfully submitted,



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